



# ***Commercial and Private Houseboat Policy***

**Lake Berryessa Operational Policy No. 1**

**Putah Resource Area**

**Lake Berryessa Reservoir Area Management Plan**

**July 1993**



# United States Department of the Interior

## BUREAU OF RECLAMATION MID-PACIFIC REGION

### PUTAH RESOURCE AREA - LAKE BERRYESSA

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#### OPERATIONAL POLICY No.1, HOUSEBOATS PRIVATE AND COMMERCIAL, REVISED - 07/23/93 TABLE OF CONTENTS

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**A. APPLICATION**

This policy applies to all privately and commercially owned houseboats on Lake Berryessa.

**B. AUTHORIZATION**

The allocation of 75 commercial and 75 privately owned houseboats is provided for in the Lake Berryessa Reservoir Area Management Plan, Final Environmental Impact Statement, Record of Decision, signed February 11, 1993.

This policy is adopted pursuant to Public Law 93-493 which, in part, provides for the Bureau of Reclamation (Reclamation) to administer Federal lands and water areas at Lake Berryessa in such a manner that will best provide for public recreational use and enjoyment.

**C. POLICY STATEMENT**

This operational policy establishes the scope, direction, and management emphasis for a houseboat program while safeguarding the water quality in Lake Berryessa. Reclamation will authorize the use of 75 commercial and 75 privately owned houseboats on Lake Berryessa.

**D. DEFINITION**

Houseboats are defined by Reclamation as vessels whose lengths range from 40 to 60 feet which have the capability of providing facilities for overnight occupancy for seven or more individuals (or are being used as such, and include galleys, toilets, showers, etc.), or any other similar vessel which the Lake Berryessa Recreation Manager determines should be considered a houseboat.

**E. ALL HOUSEBOATS**

**1. General Requirements**

- 1.01 No houseboat shall be placed on the waters of Lake Berryessa without written approval from Reclamation.
- 1.02 Houseboats may only be used for recreational purposes. Therefore, houseboat use is limited to a total of 14 days per any 30 day period, unless otherwise approved by the Lake Berryessa Recreation Manager in writing.
- 1.03 Owners/operators of houseboats are not allowed to remain overnight in their houseboats while moored in the marina area for more than two consecutive nights per lake visit, unless otherwise approved by the Lake Berryessa Recreation Manager.
- 1.04 Houseboat mooring and anchoring outside the marina areas is confined to the areas shown on the map of houseboat overnight tie up areas provided by Reclamation.
- 1.05 A safety handbook should be provided on all houseboats. This handbook should include information on the following subjects:  
locations of fire extinguishers, fuel and LP gas cut-off switches

(if any), location of life jackets, what to do in an emergency, and any other information that applies to the use of a houseboat in a safe manner.

- 1.06 All houseboats shall be used and operated in full compliance with all applicable Lake Berryessa operational policies, and any subsequent policy amendments or revisions.
- 1.07 Houseboat owners and operators must allow Reclamation to inspect houseboats at reasonable times to ensure compliance with all applicable county, State, and Federal laws, ordinances, codes, standards, rules, and regulations and policies.
- 1.08 No houseboat shall be moored on Lake Berryessa if it exceeds 15 feet in width. Houseboats shall not have more than one story. Lengths will be restricted to a maximum of 60 feet and heights to no more than 10 feet above the deck, unless otherwise approved by the Lake Berryessa Recreation Manager.
- 1.09 All houseboats must be constructed and maintained in compliance with all applicable county, State, and Federal laws, ordinances, codes, standards, rules, and regulations and policies. Houseboats shall be kept painted or stained so as to present a neat and well-kept appearance and to furnish protection against weathering and corrosion. Houseboats that are primarily painted colors such as bright red, bright orange, purple, etc., will not be permitted to be moored on Lake Berryessa.
- 1.10 All houseboats must have solid waste containers (trash receptacles) on board, and the solid waste must be disposed of in a manner that would not be detrimental to the public health and safety, or degrade the quality of the water in Lake Berryessa.

#### **F. PRIVATE HOUSEBOATS**

##### **1. Private Houseboat Requirements**

- 1.01 Private houseboat will initially be allowed to be moored on Lake Berryessa for a maximum of fifteen (15) years. Additional fifteen year periods of time may be granted by the Lake Berryessa Recreation Manager, provided space is available, and no other applicants are on an established waiting list.
- 1.02 All private houseboat permits will be subject to renewal annually by Reclamation.
- 1.03 Private houseboats may not be used for commercial purposes.
- 1.04 A private houseboat permittee shall not rent, lease, or assign or otherwise transfer the houseboat permit, or the houseboat ownership to others.

- 1.05 A houseboat permittee shall not be an owner (in whole or in part) of more than one houseboat on Lake Berryessa.
- 1.06 All houseboats to be moored on Lake Berryessa must fully comply with the general provisions and specific regulations for private and commercial houseboats as presented in this operational policy prior to obtaining a permit and/or approval from the Bureau of Reclamation.
- 1.07 All private houseboats shall be equipped with sewage and gray water holding tanks that can be discharged by vacuum pumping only.
- 1.08 Houseboats are required to have a detailed inspection every five years by an inspector Reclamation determines to be qualified. This inspection will require removal of the houseboat from Lake Berryessa waters or dry docking, and will include but not be limited to an investigation of hull, holding tanks, and engine integrity. The permittee is required to pay for this inspection, and shall supply the Lake Berryessa Recreation Office (LBRO) with a copy of the results of the inspection, and a schedule for compliance if the houseboat fails any portion of the inspection. If necessary repairs are not completed within the timeframe established by the inspector, Reclamation may require the houseboat to be removed from Lake Berryessa.

## **2. Houseboat Permits**

### **2.01 Permits**

Houseboat permits will be issued only to the registered owner(s) of a houseboat. The houseboat permit will be issued to the owner(s) of the houseboat as that individual(s) or entity is identified on the houseboat registration at the time the houseboat permit is issued.

### **2.02 Initial Priority**

An initial priority for houseboat permits will be determined by random selection, conducted by Reclamation, from those who have submitted applications to LBRO. The maximum number of private houseboats permits allowed for Lake Berryessa will be 75, however, the initial number of permits offered will be based upon the number of houseboat moorage slips that will be available on August 1, 1993. Those not initially offered permits will then be assigned to a Houseboat Permit Waiting List based on their position determined by random selection.

### **2.03 Houseboat Permit Waiting List**

Subsequent to the initial selections applications will be accepted for houseboat permits, by filling out the appropriate written form and returning it to LBRO. Applications will be ranked in order of the date and time each written request is received by LBRO.

### **2.04 Permit Availability**

As houseboat permits become available, applicants initially selected and/or the applicant with the highest priority on the Houseboat Permit Waiting List will be offered a houseboat permit subject to the following rules:

- a. The applicant with the highest priority will be sent a Notice of Houseboat Permit Availability and must respond to LBRO within 15 days. Failure of the applicant to respond to the Notice of Houseboat Permit Availability will result in the denial of the houseboat permit and removal of the Applicant from the Houseboat Permit Waiting List. Failure of the applicant, for whatever reason, to receive the Notice of Houseboat Permit Availability mailed to the applicant's address as shown on the waiting list, shall not entitle the applicant to any relief from the Reclamation's denial of the houseboat permit or removal from the Houseboat Permit Waiting List.
- b. Applicants on the Houseboat Permit Waiting List may not sell, trade, gift, assign, or otherwise transfer his/her position on the waiting list to another person or entity.
- c. Only the currently registered owner(s) of a houseboat, as shown on the official records of the California State Department of Motor Vehicles (DMV), may obtain a Lake Berryessa houseboat permit. Applicants must provide DMV verification of ownership prior to obtaining a permit.

2.05 Issuance of a Houseboat Permit

Applicants may be issued a houseboat permit upon meeting all of the following requirements:

- a. The applicant must obtain a houseboat mooring space from an authorized concessionaire.
- b. The applicant must submit houseboat plans, if available, and one or more photographs of the entire houseboat to LBRO, and pay a Houseboat Permit Fee to Reclamation.
- c. If the applicant's houseboat is not placed on Lake Berryessa within 30 days of the issuance of the permit, the permit shall be automatically revoked and the Houseboat Permit Fee shall be forfeited unless a written extension of time is granted by LBRO. At its discretion, LBRO may grant an extension of time for up to 12 months from the issuance of the houseboat permit if an applicant can show good cause for the granting of such extension. If the houseboat is not placed on Lake Berryessa at the expiration of such extension, the permit shall be cancelled. The Houseboat Permit Fee shall not be refunded.
- d. Before a houseboat can be placed on Lake Berryessa, it must pass an inspection by Reclamation and receive a "Certificate of Inspection" (COI) indicating that it complies with all

applicable county, State, and Federal laws, ordinances, codes, standards, rules, regulations, and policies.

### **3. Application Renewal**

3.01 Occupancy of Lake Berryessa by any privately owned houseboat for any period of time will require annual permit renewals. A houseboat permit may be renewed annually upon meeting all of the following requirements:

- a. The permittee has to pay to LBRO an annual renewal fee as determined by Reclamation, this fee covers the costs of necessary LBRO inspections and administrative actions.
- b. The permittee seeking a houseboat permit renewal, has maintained and operated the houseboat in full compliance with this policy.
- c. The permittee seeking a houseboat permit renewal obtains an annual COI from LBRO. As part of the annual COI, each permittee will be provided a Houseboat Self Inspection Form to be completed and returned to LBRO. Reclamation staff may conduct follow up inspections after receipt of the Houseboat Self Inspection Form to verify compliance with this houseboat policy. Upon satisfactory completion of the inspection, the permittee will be given a sticker to place on the houseboat adjacent to the California boat registration numbers.
- d. The concessionaire must verify that the moorage agreement is in good standing.
- e. The permittee seeking a houseboat permit renewal must submit a copy of his/her DMV registration form which will be in effect during the term of the renewed permit, to verify continued ownership of the houseboat.

### **4. Change of Ownership**

4.01 The houseboat permittee shall notify Reclamation of his/her intent to sell his/her houseboat, prior to its sale.

4.02 Lake Berryessa Houseboat Permits are non-transferable to others (Sec F 1.03). Upon change of ownership, other than the deletion of a co-owner of a houseboat with a valid permit, the permit shall be deemed to be terminated. If the permit is terminated, a permit will then be offered to the applicant with the highest priority on the Houseboat Permit Waiting List (Sec F 2.03). The houseboat with the changed ownership will only be allowed to remain on Lake Berryessa if it is transferred to the applicant with the highest priority on the waiting list. (An applicant on the waiting list is under no obligation to purchase an existing permitted houseboat on Lake Berryessa.) The new owner must then obtain a houseboat permit from Reclamation. If there is not a waiting list, and

permits are available, then the owner may transfer his/her houseboat to any interested party, in accordance with this policy (Sec F 1.04).

- 4.03 Houseboat permittees intending to sell their houseboat (in whole or in part), to anyone other than the applicant with the highest priority on the Houseboat Permit Waiting List, must remove the houseboat from Reclamation lands and waters within fifteen days of the sale. The permit is automatically relinquished to Reclamation (Sec F 4.02).
- 4.04 LBRO is to be notified by the permittee of changes in houseboat ownership, including changes in DMV houseboat registration. Reclamation recognizes only changes of ownership (or modifications) that have been recorded by DMV. No additional owners or co-owners may be added to the list of original owners established at the time the original houseboat permit was issued (Sec F 4.02, 4.03).
- 4.05 In the event of death of the permittee(s) prior to expiration of the houseboat permit the remaining term of the permit may be transferred to their heir or heirs. The heir or heirs must notify LBRO of the death of the permittee, reregister the houseboat with DMV, and provide a copy of the new registration to LBRO.

## **5. Houseboat Replacement**

- 5.01 Houseboat permittees may replace an existing permitted houseboat with another houseboat by complying with all of the following requirements:
  - a. The permittee shall notify LBRO of intent to replace the houseboat with another houseboat under the same ownership.
  - b. The permittee shall submit to LBRO houseboat plans, if available, and one or more photographs of the entire houseboat, and DMV verification of replacement of the originally registered houseboat.
  - c. The current permitted houseboat shall be removed from Lake Berryessa prior to the launching of a replacement houseboat. The replacement houseboat must be placed on Lake Berryessa within 30 days of approval by LBRO.
  - d. Prior to placing a replacement houseboat on Lake Berryessa, it must pass an inspection by Reclamation and receive a COI.
- 5.02 Houseboat permittees may trade houseboats, however permits are non-transferrable (Sec F 1.03), and any trade must be approved by the Lake Berryessa Recreation Manager subject to the following requirements:



- a. The permittee has to pay an administrative fee to LBRO, this fee covers the costs of administrative actions necessary for review and approval of the trade.
- b. The permittees must submit copies of their DMV registrations noting changes in houseboat ownership.

## **6. Change of Marina**

- 6.01 Houseboat permittees may transfer to other authorized marinas at Lake Berryessa provided space is available, and the transfer is approved by the Lake Berryessa Recreation Manager.

## **7. Compliance**

- 7.01 If, upon inspection by LBRO or a qualified inspector, it is determined that a houseboat is damaged, destroyed, or modified in such a way to threaten public health and safety, or the quality of the water in Lake Berryessa, a Notice of Repair by Reclamation may be issued. If the repair specified in the Notice is not initiated within 30 days of the issuance of the Notice of Repair, the permit shall be revoked, and the houseboat removed from Lake Berryessa.

## **G. COMMERCIAL HOUSEBOATS**

### **1. Commercial Houseboat Requirements**

- 1.01 No commercial houseboat shall be placed on the waters of Lake Berryessa without written approval from Reclamation.
- 1.02 All commercial houseboats shall be equipped with sewage and gray water holding tanks that can be discharged by vacuum pumping only. All existing commercial houseboats on Lake Berryessa shall fully comply with this requirement within three years after this policy is approved. All commercial houseboats to be placed on Lake Berryessa must fully comply with this policy prior to obtaining Reclamation approval.
- 1.03 Commercial houseboats must be identified with the resort name in 4-inch letters and a boat number.

## **H. REQUIREMENTS - CONCESSIONAIRES**

### **1. Marina Facilities**

- 1.01 Concessionaires desiring to provide mooring slips for houseboats are required to install marina sanitary pumpout facilities to sufficiently pump-out vessel sewage and gray water holding tanks. This will also include the capability of disposing of the contents from small portable toilet holding tanks that can be removed from any size vessel. Upon issuance of this policy, resorts interested

in establishing houseboat facilities will be given up to one year from the date of approval of their plans by LBRO to install the necessary facilities.

- 1.02 Concessionaires shall provide quality service, moorage, parking, and boarding docks to handle demands of moorage customers; and provide potable water to fill fresh water holding tanks through a conveyance system acceptable to Napa County and the State of California. Utility hookups will not be made available for privately owned vessels.
- 1.03 Concessionaires shall terminate any moorage by houseboats in their marinas slips where adequate moorage, pumpout, and other marina facilities are not available (Sec H 1.01, 1.02).
- 1.04 Concessionaires are required to maintain a monitoring record on each houseboat to determine if the owner/operator is obtaining consistent pumpout service. If the houseboat owner/operator is not obtaining the proper pumpout service, the concessionaire must notify the owner/operator that the necessary services must be obtained. Improper pumpout service is in violation of the houseboat policy, and could result in the loss of the houseboat permit.

## **2. Health and Safety**

- 2.01 All owners/operators of private and commercial houseboats shall be informed by concessionaires that the following list of substances may not be discharged into holding tanks or directly into the lake:
  - a. Oil, grease, and toxic substances.
  - b. Any substance that will settle to form objectionable deposits, float to form unsightly masses, or produce objectionable color, odor or turbidity in Lake Berryessa.

Substances such as biodegradable solids, sewage and gray water may only be discharged into holding tanks and be pumped out at an approved disposal site. All other waste such as oil, grease, toxic substances, etc., must be disposed of according to accepted disposal methods. Owners/operators of a houseboat found in violation of this requirement will have their moorage privilege or right to be on the lake terminated.

- 2.02 Concessionaires shall inform all owners/operators of houseboats (private and commercial) that they must operate their houseboats at all times in a safe and proper manner and in accordance with California Boating Laws. Emphasis is to be placed upon the operators responsibility for ensuring that all passengers are provided personal flotation devices and that the designated vessel capacity is not exceeded.

- 2.03 Concessionaires shall advise all houseboat owners/operators (commercial and private) about safe operating procedures, rules, regulations, laws, codes, ordinances, policies, and standards for houseboat use on Lake Berryessa, and locations of restricted areas, including:
- a. A major portion of the Putah Creek arm of the lake is composed of shoreline which, for the most part, is in private ownership. Houseboat users who tie-up overnight in this area are in a trespass situation and violators are subject to citation, and are liable for any property damage.
  - b. Use of Pope Creek is restricted upstream of the Pope Creek Bridge and houseboats are not to pass under the bridge.
- 2.04 Concessionaires should advise houseboat owners that any maintenance activities conducted on the houseboats either in the water or on land, must not allow toxic materials to enter the waters of Lake Berryessa, its tributaries, or ground-water basins, in accordance with Federal, State, and local laws and regulations for hazardous materials containment.

**APPROVED**

Robert K. Semmens  
Recreation Manager

July 23, 1993  
Date

